

### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3, 5, and 11-16 are currently pending. Claims 1-3, 5, and 11-16 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-3, 5, and 11-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0078491 to Gormish et al. (hereinafter “the ‘491 application”).

Amended Claim 1 is directed to an image processing apparatus that transmits image data from a second device to a first device, comprising: (1) acquisition means for acquiring a target division level that is a wavelet division level supported by the first device; (2) checking means for checking a difference between the target division level and a wavelet division level in an original code stream of the second device, wherein the original code stream is compressed and encoded according to a JPEG 2000 algorithm; (3) reading means for reading coded data responsive to a check result of the checking means from the original code stream; (4) decoding means for decoding wavelet coefficients from the coded data read by the reading means; (5) generating means for generating LL component data of the target division level by performing a wavelet transform or an inverse wavelet transform on the wavelet coefficients decoded by the decoding means; (6) coding means for coding the LL component data generated by the generating means; (7) changing means for changing the wavelet division level of the original code stream by embedding, in the original code stream of the second device, the LL component data coded by the coding means for transmission to the first device; and (8) coding condition changing means for changing coding conditions in the

original code stream based on the wavelet division level changed by the changing means.

The changes to Claim 1 are supported by the originally filed specification and do not add new matter.<sup>1</sup>

Applicants respectfully submit that the rejection of Claim 1 as anticipated by the '491 application is rendered moot by the present amendment to Claim 1.

The '491 application is directed to method for transporting portions of a codestream from a server to a client, wherein the server contains a JPEG 2000 file that contains at least one JPEG 2000 codestream that can be decompressed to obtain an image 102. Further, the '491 application discloses that the server delivers portions of the JPEG 2000 codestream 101 to the client over a channel 104. The '491 application discloses that the client is able to use the received tile-parts 103 as a legal JPEG 2000 codestream and to decode the received tile-parts to form some part of the image 105. In particular, the '491 application discloses that a "viewpoint" is the portion of the entire image that client is interested in, and is often a subset of components, a lower resolution, and only a small spatial region. In this regard, Applicants note that the '491 application discloses a byte range converter on the server side that is responsible for converting a compressed image object request to a byte range request. The converter returns the requested image objects after determining the location of the request, wherein the location refers to the byte range of a tile-part in a JPEG 2000 file. As noted by the outstanding Office Action, the '491 application in paragraph [0048] states that "[i]n case the viewport changes, and the corresponding relevant tiles also change, then only the tiles that have not been sent earlier are sent to update the display image."

However, Applicants respectfully submit that the '491 application fails to disclose changing means for changing the wavelet division level of the original code stream by

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<sup>1</sup> See, e.g., Figure 6 and the discussion related thereto in the specification.

embedding, in the original code stream of the second device, the LL component data coded by the coding means for transmission to the first device, as recited in amended Claim 1.

Even assuming *arguendo* that the disclosure by the '491 application in paragraph [0048] is a disclosure that the division level of the displayed image on the client side is changed as a result of the change of the "viewport," the '491 application does not disclose that the division level of the original codestream at the server changes, as would be required by Claim 1.

Further, regarding the changing means recited in Claim 1, Applicants note that the '491 application merely discloses sending tiles that have not been sent earlier. Applicants respectfully submit that this is not a disclosure of embedding, in the original code stream, the LL component data coded by a coding means. The '491 application does not disclose changing a wavelet division level of an original code stream, and does not disclose embedding LL component data into an original code stream to change the wavelet division level. Rather, the '491 application merely discloses that if the viewport, which indicates the portion of the image the client is interested in, changes, then image information that has not been sent so as earlier is sent to update the displayed image.

Further, Applicants respectfully submit that the '491 application fails to disclose or suggest acquisition means for acquiring a target division level that is a wavelet division level supported by a first device, as recited in Claim 1. Paragraph [0019] of the '491 application merely discloses that a server contains a JPEG 2000 codestream of an image, and that a client makes a request to receive parts of the image as image objects. However, the '491 application fails to disclose that a target division level is a wavelet division level and is acquired by an acquisition means. Further, it follows that the '491 application cannot disclose checking means for checking a difference between a target division level and a

wavelet division level of an original code stream of a second device, as recited in amended Claim 1.

For the reasons stated above, Applicants respectfully submit that amended Claim 1 (and all associated dependent claims) patentably defines over the '491 application.

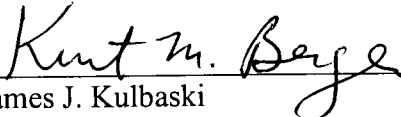
Independent Claim 12 is a method claim that recites steps similar to those recited in Claim 1. In particular, Claim 12 recites changing the wavelet division level of the original code stream by embedding, in the original codestream of the second device, the coded LL component data for transmission to the first device. Accordingly, for the reasons stated above, Applicants respectfully submit that the rejection of Claim 12 (and all associated dependent claims) is rendered moot by the present amendment to Claim 12.

Thus, it is respectfully submitted that independent Claims 1 and 12 (and all associated dependent claims) patentably define over the '491 application.

Consequently, in view of the present amendment and in light of the above amendment, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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